

Notice of Allowability

Application No.

10/008,060

Examiner

Dana Ross

Applicant(s)

HUGHES, KATHERINE W.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Appeal Brief Filed on 7 June 2004.
2. ☒ The allowed claim(s) is/are 13-19.
3. ☒ The drawings filed on 13 November 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


DERRIS H. BANKS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kees van der Sterre on 1 February 2005.

The application has been amended as follows:

In the claims:

Claim 18 (Amended) A method for shaping an end face of a catalyst substrate having a longitudinal axis into a conical or frusto-conical shape which comprises:

a step of shaping by rotating first and second guides about the longitudinal axis of the catalyst substrate while a cutting filament extends between the guides; and

controlling the longitudinal separation and radial spacing of the guides so that the cutting filament is inclined relative to the longitudinal axis of the catalyst substrate and intersects the said axis, and wherein

the longitudinal separation and radial spacing of the guides are controlled to form a shaped face on the catalyst substrate which is non-concentric with the longitudinal axis thereof.

Claim 19 (Amended) A method for shaping an end face of a catalyst substrate having a longitudinal axis into a conical or frusto-conical shape which comprises:

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a step of shaping by rotating first and second guides about the longitudinal axis of the catalyst substrate while a cutting filament extends between the guides; and controlling the longitudinal separation and radial spacing of the guides so that the cutting filament is inclined relative to the longitudinal axis of the catalyst substrate and intersects the said axis.

Allowable Subject Matter

2. Claims 13-19 are allowed.

The following is an examiner's statement of reasons for allowance: Reasons for allowance of independent claim 18 are detailed in the previous office actions.

The prior art of record neither anticipates nor renders obvious a method of shaping an end face of a catalyst substrate having a longitudinal axis into a conical or frusto-conical shape as claimed in independent claims 18 and 19, specifically wherein a step of shaping includes rotating first and second guides about the catalyst substrate while a cutting filament extends between the guides.

The closest prior art of record found is US Pat. No. 2,972,669 (Brown) as is discussed in detail in the previous office actions. Upon further review, Examiner agrees with Applicant's arguments as to the structure taught by Brown not being applicable to Applicant's invention. Brown does not disclose the rotating first and second guides about the longitudinal axis of the workpiece as is currently claimed in independent claims 18 and 19.

Though the structure as claimed is well known in the art, as is evidenced by US Pat. No. 4,235,656 (Shimada et al.), the method of shaping which includes a step of rotating first and second guides about the longitudinal axis of the catalyst substrate while a cutting filament

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extends between the guides is not disclosed by Shimada et al. Shimada et al. teaches the winding of the filament around the substrate, however there is no cutting filament and no shaping of the substrate. Therefore Shimada et al. does not disclose the claimed invention of independent claims 18 or 19 and there is no motivation found to modify Shimada et al. to obtain the claimed invention such that there is a shaping step performed by the cutting filament. Furthermore, there is no prior art, either alone or in combination with the prior art, that would render obvious the claimed invention of independent claims 18 or 19.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

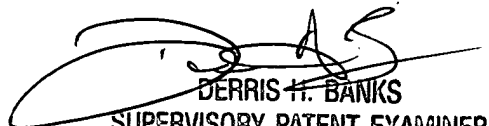
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dana Ross whose telephone number is 571-272-4480. The examiner can normally be reached on Mon-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on 571-272-4419. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


dmr


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